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OF COUNSEL:

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June 18, 2013

The Honorable Steven M. Gold, U.S.M.J.
U.S. District Court
Eastern District of New York
225 Cadman Plaza East,
Chambers 1217
Brooklyn, NY 11201-1832

Re: Cortes, et al v. Astoria NY Holdings LLC et al
12-CV-3062 (MKB) (SMG)

Dear Judge Gold:

During our telephone conference on the above reference case, the topic of settlement was raised. At that time, as new counsel, I indicated that Defendants were interested in discussing the possible negotiated resolution of this case, but that we needed to do further analysis. The Court requested a status letter on June 14, 2013. Unfortunately, I got sidetracked with an unrelated case and I am now providing the current status. I apologize for being tardy.

In order to complete a meaningful analysis, we needed the companies written records relating to employees hours. Those records were in the possession of Defendants prior counsel, Jackson Lewis, who initially refused to turn over the records asserting a retaining lien. To make a long story short, the issues were resolved and late last week we regained possession of the records. We are now in the process of creating a spreadsheet which will assist all parties in settlement discussions. I expect that we will be prepared to commence negotiations (or make a settlement offer) by the end of this week.

Very truly yours

Joseph J. Haspel

Cc: William Cafaro, Esq.